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REMARKS

This reply is in response to the Office Action of June 12, 2008. Claims 2, 12 – 22, and 25 have been amended and no claims have been added. No new matter has been added. As such, claims 1 – 22, 25 – 36, and 39 are pending in the application.

Claim Rejection – 35 USC §112

Claim 2 has been rejected under 35 USC §112, second paragraph as being indefinite for failing to particularly point and distinctly claim the subject matter which applicant regards as the invention. Specifically, the phrase “may be” has been noted as confusing. Claim 2 has been amended, solely for the purpose of addressing this rejection, to more particularly claim the present invention. Specifically, the phrase “may be” has been removed from the claim.

Claim Rejection – 35 USC §102

Claims 1 – 5, 11 – 16, 22, 25 – 30, 36 and 39 have been rejected under 35 USC §102(e) as being anticipated by US Patent No. 6,557,447 to Lee (hereinafter, the Lee reference). This rejection is respectfully traversed.

The Office Action states that “Lee discloses all the recited elements of the invention including a tension spring assembly (e.g., Figure 3), a cam assembly (e.g., Figure 4), a cover assembly (e.g., Figure 4) including a handle (e.g., 36) adjustably coupled with the cam assembly (e.g., at 33, and an index indicator (80).” For the sake of this Reply, it is assumed that the Office Action is referring to all of the independent claims (1, 12, and 26) currently pending in the instant application in setting forth the aforementioned reasons for rejection.

Applicants herein note that the Office Action fails to specifically cite the elements in the Lee reference which correspond to the elements recited in the pending claims. The Office Action, except for a couple of instances, merely notes a figure of the Lee reference without noting a particular element of that Figure. For example, “a tension spring assembly (e.g., Figure 3)” and “a cam assembly (e.g., Figure 4).” Furthermore, the Office Action fails to specifically describe how the device disclosed in the Lee reference

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includes the various features of the pending claims. For example, the Office Action does not detail how the device of the Lee reference applies "a force to the tension spring assembly," or that the "cover assembly is adjustably coupled with the cam assembly."

Applicants respectfully submit that the Lee reference does not include a cover assembly, as that term is described in the instant specification (as noted above, the Office Action does not specifically note which element of the Lee reference is considered the cover assembly) and that the pointer 80 (referenced in the Office Action as the index indicator of the present invention) of the Lee reference (one of the few elements the Office Action specifically notes) is coupled via a pin at a projected point 64 to the support portion 62. Clearly, the pointer 80 is not coupled to anything that can be reasonably considered a cover assembly.

With regard to "the cam assembly applying a force to the tension spring assembly" feature of the independent claims, Applicants respectfully disagree that the Lee reference teaches or suggests such a feature. As background to this position, as illustrated in Figure 2 of the Lee reference, the driven wheel 17 is physically connected to the slide seat 20 illustrated in Figures 3 and 5. This fact is not specifically set forth in the specification but it is implied in the Lee specification at column 3, line 29, "As the thread motion portion 61 of the microadjustment rod is turned, the microadjustment rod 60 is moved upwards such that the second elastic member 63 is compressed by the support portion 62 so as to press against the seat block 40 which is stopped by the first elastic member 50, thereby resulting in a minute displacement. The driven wheel 17 is also caused to engage in a minute elevation, so as to adjust the tightness of the band saw 18." Clearly, the driven wheel 17 must be connected to the slide seat 20 via the seat block 40 in order to cause the driven wheel 17 to elevate. It is assumed that the driven wheel is connected to the seat block 40 by the unnumbered element (noted as "A" in the attached, edited Figures 3 and 5). Second, there is no physical or mechanical connection between the second elastic member 70 (while the Office Action does not specifically note the second elastic member 70 as corresponding to the tension spring assembly of the present invention, for purposes of this response, Applicants are assuming this is the examiner's position) and the eccentric wheel 30 (while the Office Action does not specifically note

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the eccentric wheel 30 as corresponding to the cam assembly of the present invention, for purposes of this response, Applicants are assuming this is the examiner's position).

The device disclosed in the Lee reference does not disclose, teach or suggest a cam assembly for applying a force to a tension spring assembly, as recited in the independent claims of the present application. In fact, the Lee reference discloses just the opposite. Specifically, operationally when the wrenching member 36 of the Lee device is turned counterclockwise from the position in Figure 3 to the position in Figure 5, the distance between the lower surface of the cross rod 22 (which engages the eccentric wheel 30) and the axis of the wheel 30 is decreased (in other words the "long side" of the eccentric wheel P, see attached Figures disengages the rod 22 and the "short side" of the eccentric wheel 35 engages the rod 22) allowing the slide seat 20 to move in the direction X (see attached Figure 5). As the slide seat 20 moves in the direction X a force is applied to the spring 70. The slide seat 20 moves in the direction X due to the force of gravity acting upon the mass of the slide seat 20 itself and the mass of the driven wheel 17 (as noted above, the driven wheel 17 is attached to the seat block 40 at element A and the seat block 40 is attached to the slide seat 20).

Contrary to the present invention and the position taken in the Office Action, when the wrenching member 36 is moved clockwise (from the position in Figure 5 to the position in Figure 3) and the "long side" P engages the rod 22, the slide seat 20 is moved in the direction Y thereby decreasing the force applied to the spring 70.

Clearly, the Lee reference does not disclose a cam assembly (presumed to be the eccentric wheel 30/rod 22) for applying a force to a tension spring. To the contrary, the eccentric wheel 30/rod 22 combination serve to decrease force applied to the spring 70. In the Lee device, it is the driven wheel 17 (from above) and the elements 60/61/62 (from below) which apply a force to the spring 70.

To the examiner's comment in the Advisory Action of April 24, 2007, "Since the Lee spring is a tension spring, it urges the related components, including the cam, in a direction. Newton's third law of motion states that for every action, there is an equal and opposite reaction. As such, the cam also applies a force to the spring" as the spring 70 is not physically/mechanically coupled to the eccentric wheel 30 the spring can not apply a force to the wheel regardless of what force is applied to the spring.

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In light of the foregoing, it is respectfully submitted that the Lee reference does not disclose, teach or suggest a cam assembly applying a force to a tension spring assembly or a cover assembly adjustably coupled with the cam assembly, as recited in independent claims 1, 12 and 26. As such, the Lee reference can not anticipate these claims.

Applicants respectfully request that the examiner reconsider and withdraw the various rejections and allow all of the presently pending claims.

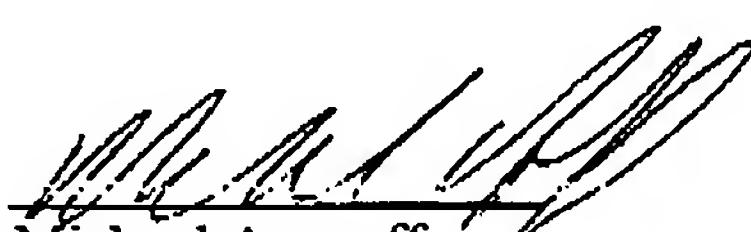
CONCLUSION

It is believed that a full and complete response has been made to the outstanding Office Action, thus, prompt and favorable consideration of this reply is respectfully requested. If the Examiner decides to maintain the current rejection, Applicants request a personal interview between the Examiner and the Applicants representative noted below. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (410) 716-3639.

Respectfully submitted,

Dated: 10/9/08

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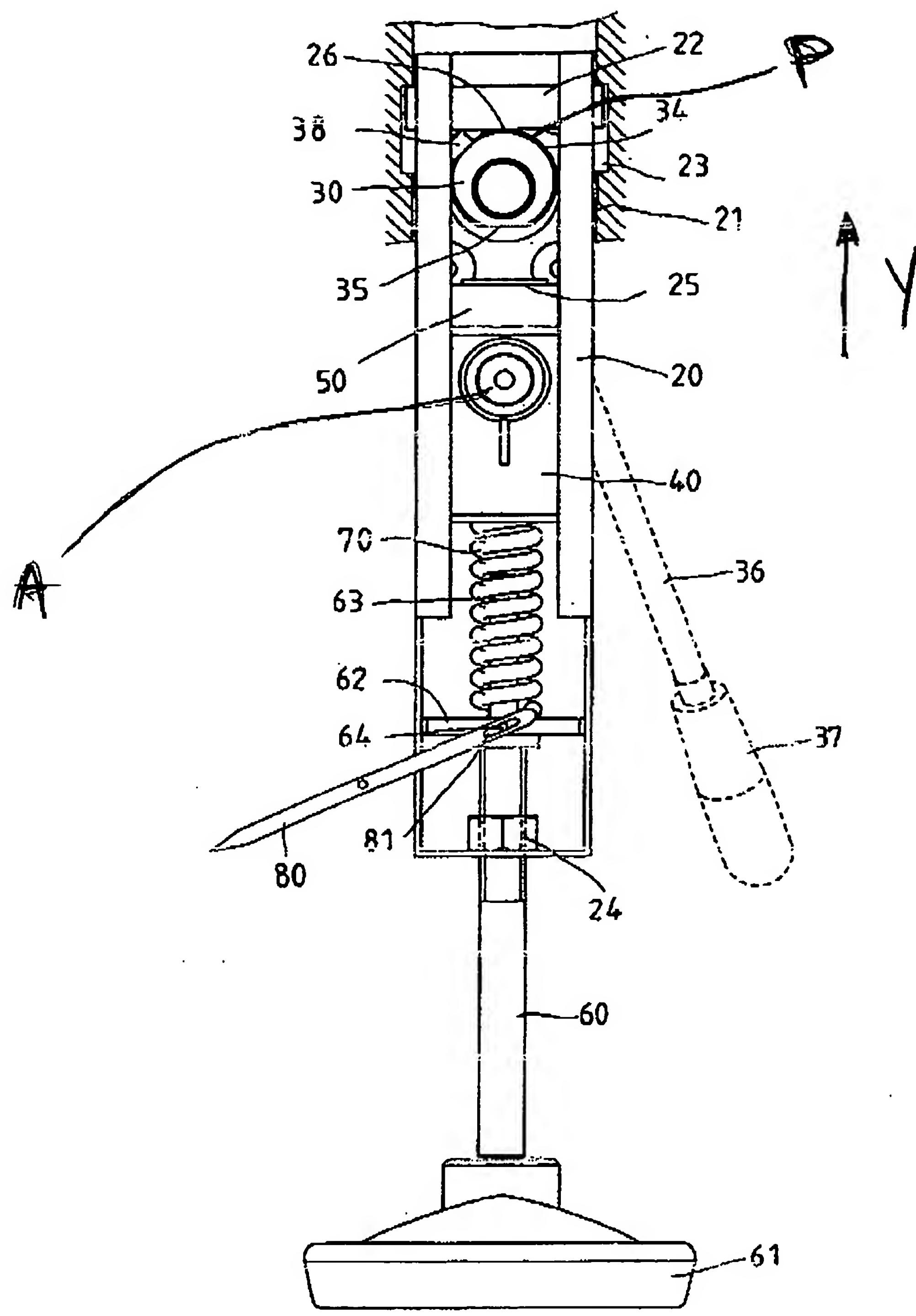


FIG. 3

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